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Personal Data

Sec. 14-3-1. Personal data

(a) Definitions

(1) The following definitions shall apply to these regulations:

(A) “Category of Personal Data” means the classification of personal information set forth in the Personal Data Act, Connecticut General Statutes 4-190 (9).

(B) “Other Data” means any information which because of name, identification number, mark or description can be readily associated with a particular person.

(C) “Licensee” means individuals licensed by the commissioner of motor vehicles as operators of motor vehicles or individuals or businesses licensed as repairers, dealers, wrecker services, driving schools, manufacturers, motor vehicle junk yards, and gasoline stations.

(2) Definitions contained in Connecticut General Statutes Sec. 4-190 shall apply to these regulations.

(b) General Nature and Purpose of Personal Data.

(1) The Department of Motor Vehicles maintains the following personal data system:

(A) Personnel Records.

(i) All personnel records are maintained at the Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut.

(ii) Personnel records are maintained in both automated and manual form.

(iii) Personnel records are maintained for the purpose of retaining payroll, health, discipline and related personnel information concerning Department of Motor Vehicle employees.

(iv) Personnel records are the responsibility of the Personnel Administrator of the Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut. All requests for disclosure or amendment of these records should be directed to the Personnel Administrator.

(v) Routine sources for information retained in personnel records include the employee, previous employers of the employee, references provided by the applicants, the employee’s supervisor, the Comptroller’s Office and Department of Administrative Services, Division of Personnel and Labor Relations.

(vi) Personal data in personnel records are collected, maintained and used under authority of the State Personnel Act, Connecticut General Statutes Sec. 5-193 et seq.

(B) License Records. The Department maintains license records in two general classes, individual licenses and business licenses. Individuals are licensed with respect to operation, registration and titling of motor vehicles. Several types of businesses are licensed pursuant to the authority conferred by the General Statutes to regulate these types of businesses.

(i) Automated license records for licensees are maintained with the Chief of Information Systems, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut.

(ii) License records are maintained in both automated and manual form.

(iii) Certain license records are maintained manually for the purpose of determining the qualifications of applicants and the continued suitability of licensees.

(iv) Automated licensee records are maintained with the Chief of Information Systems, Department of Motor Vehicles, 60 State Street, Wethersfield, Connecticut. All requests for disclosure or amendment of these records should be directed to the director of the division responsible for retaining the records.

(v) Routine sources of information retained in license records include license application, financial, employment, criminal history and other personal background data and information secured and maintained by the Department of Motor Vehicles for individuals licensed by the Department.

(vi) Personal data in license records are collected, maintained and used under authority of the State Personnel Act, Connecticut General Statutes Sec. 5-193 et seq.

(c) Categories of Personal Data.

(1) Personnel Records.

(A) The following categories of personal data may be maintained in personnel records:

- (i) Educational records.
- (ii) Medical or emotional condition or history.
- (iii) Employment or business history.
- (iv) Other reference records.

(B) The following categories of other data may be maintained in personnel records:

- (i) Addresses.
- (ii) Marital status.
- (iii) Telephone numbers.

(C) Personnel records are maintained on employees of the Department of Motor Vehicles and applicants for employment with the Department of Motor Vehicles.

(2) Licensee Records.

(A) The following categories of personal data may be maintained in license records of individual licensees:

- (i) Educational records, with respect to driver education.
- (ii) Medical or emotional condition or history, with respect to the ability to safely operate a motor vehicle.
- (iii) Employment or business history, with respect to accident security and motorist financial responsibility.

(iv) Criminal records, with respect to the right to hold an operator's license or public service, commercial or school bus operator license.

(v) Police investigation records, with respect to motor vehicle accidents and arrests for violations, when such information is transmitted to the Department.

(vi) Investigative records from other jurisdictions concerning accidents and offenses, when such information is received.

(B) The following categories of other data may be maintained in individual license records:

- (i) Application records.
- (ii) Renewal records.
- (iii) Removal records.
- (iv) Records of administrative action.
- (v) Addresses.
- (vi) Marital status.

(vii) Social security number of commercial vehicle license holders as required by Commercial Motor Vehicle Safety Act of 1986.

(C) The following categories of personal data may be maintained in license records of business licensees. Such license records are maintained on applicants for and holders of licenses to act as lessors of motor vehicles, repairers, dealers, wrecker services, driving schools, manufacturers, motor vehicle junk yards, and gasoline stations.

(i) Employment or business history, consisting primarily of financial statements and past experience statements.

(ii) Criminal records, with respect to the legal right to hold a license of any of the above-stated kinds.

(iii) Police investigation records, with respect to complaints or administrative hearings involving charges of legal violations.

(D) The following categories of other data may be maintained in business license records:

(i) Application records, updated annually.

(ii) Renewal records.

(iii) Removal records.

(iv) Records of administrative action.

(v) Addresses of principals, and other corporate information.

(vi) Telephone numbers of businesses.

(d) **Maintenance of Personal Data.**

(1) Personal data will not be maintained unless relevant and necessary to accomplish the lawful purposes of the Department of Motor Vehicles. Where the Department of Motor Vehicles finds irrelevant or unnecessary public records in its possession, the Department shall dispose of the records in accordance with its records retention schedule and with the approval of the Public Records Administrator as per Connecticut General Statutes Sec. 11-8a, or if the records are not disposable under the records retention schedule, request permission from the Public Records Administrator to dispose of the records under Connecticut General Statutes Sec. 11-8a.

(2) The Department of Motor Vehicles will collect and maintain all records with accurateness and completeness.

(3) Insofar as it is consistent with the needs and mission of the Department of Motor Vehicles, the Department wherever practical, shall collect personal data directly from the persons to whom a record pertains.

(4) Department of Motor Vehicle employees involved in the operation of the Agency's personal data systems will be informed of the provisions of the (A) Personal Data Act, (B) the Department's regulations adopted pursuant to Sec. 4-196, (C) the Freedom of Information Act and (D) any other state or federal statute or regulations concerning maintenance or disclosure or personal data kept by the Department.

(5) All Department of Motor Vehicle employees shall take reasonable precautions to protect personal data under their custody from the danger of fire, theft, flood, natural disaster and other physical threats.

(6) The Department of Motor Vehicles shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements or licenses for the operation of a personal data system or for research, evaluation and reporting of personal data for the Department or on its behalf.

(7) An agency requesting personal data from any other state agency shall have an independent obligation to ensure that the personal data is properly maintained.

(8) Only Department of Motor Vehicle employees who have a specific need to review personal data records for lawful purposes of the Department shall be entitled to access to such records under the Personal Data Act.

(9) The Department of Motor Vehicles will keep a written up-to-date list of individuals entitled to access to each of the agency's personal data systems.

(10) The Department of Motor Vehicles will ensure against unnecessary duplication of personal data records. In the event it is necessary to send personal data records through interdepartmental mail, such records will be sent in envelopes or boxes sealed and marked "confidential."

(11) The Department of Motor Vehicles will ensure that all records in manual personal data systems are kept under lock and key and, to the greatest extent practical, are kept in controlled access areas.

(12) With respect to the automated personal data system:

(A) The Department of Motor Vehicles shall, to the greatest extent practical, locate automated equipment and records in a limited access area.

(B) To the greatest extent practical, the Department of Motor Vehicles shall require visitors to such area to sign a visitor's log and permit access to said area on a bona-fide need-to-enter basis only.

(C) The Department of Motor Vehicles, to the greatest extent practical, will ensure that the regular access to automated records systems is limited to authorized personnel.

(D) The Department of Motor Vehicles shall utilize appropriate access control mechanisms to prevent disclosure of personal data to unauthorized individuals.

(e) Disclosure of Personal Data.

(1) Within four business days of receipt of a written request therefor, the Department of Motor Vehicles shall mail or deliver to the requesting individual a written response in plain language, informing him/her as to whether or not the Department maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(2) Except where nondisclosure is required or specifically permitted by law, the Department of Motor Vehicles shall disclose to any person upon written request all personal data concerning that individual which is maintained by the agency. The procedures for disclosure shall be in accordance with Connecticut General Statutes Secs. 1-15 through 1-21k. If the personal data is maintained in coded form, the Department shall transcribe the data into a commonly understandable form before disclosure.

(3) The Department of Motor Vehicles is responsible for verifying the identity of any person requesting access to his/her own personal data.

(4) The Department of Motor Vehicles is responsible for ensuring that disclosure made pursuant to the Personal Data Act is conducted so as not to disclose any personal data concerning persons other than the person requesting the information.

(5) In any case where the Department of Motor Vehicles refuses disclosure, it shall advise that person of his/her right to seek judicial relief pursuant to the Personal Data Act.

(6) If the Department of Motor Vehicles refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that person and nondisclosure is not mandated by law, the Department shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's record to determine if the personal data should be disclosed. If disclosure is recommended by the person's medical doctor, the agency shall disclose the personal data to such person; if nondisclosure is recommended by such person's medical doctor, the Department shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(7) The Department of Motor Vehicles shall maintain a complete log of each person, individual, agency or organization who has obtained access or to whom disclosure has been made of personal data under the Personal Data Act, together with the reason for each such disclosure or access. This log must be maintained for not less than five years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(f) Contesting the Content of Personal Data Records.

(1) Any person who believes that the Department of Motor Vehicles is maintaining inaccurate, incomplete or irrelevant personal data concerning him/her may file a written request with the Department for correction of said personal data.

(2) Within 30 days of receipt of such request, the Department of Motor Vehicles shall give written notice to that person that it will make the requested correction, or if the correction is not to be made as submitted, the Department shall state the reason for its denial of such request and notify the person of his/her right to add his/her own statement to his/her personal data records.

(3) Following such denial by the Department of Motor Vehicles, the person requesting such correction shall be permitted to add a statement to his or her personal data records setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Department's personal data system and shall be disclosed to any individual, agency or organization to which the disputed data is disclosed.

(g) Uses to be Made of the Personal Data.

(1) Personnel Records.

(A) Personnel records are routinely used for evaluating the qualifications of employment applicants and the work performance of employees of the Department of Motor Vehicles. Users include the Personnel Administrator and other state officers and employees with responsibility for evaluating the work performance of employees of the Department, and others where permitted or required by law.

(B) The Department of Motor Vehicles retains personnel records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(2) License Records.

(A) License records of individuals are routinely used for evaluating the suitability of applicants and the continued suitability of licensees. Users include all officers and employees of the Department, police authorities and others where permitted or required by law.

(B) The Department of Motor Vehicles retains licensee records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(3) When an individual is asked to supply personal data to the Department of Motor Vehicles, the Department shall disclose to that individual, upon request:

(A) The name of the Department and division within the Department requesting the personal data;

(B) The legal authority under which the Department of Motor Vehicles is empowered to collect and maintain the personal data;

(C) The individual's rights pertaining to such records under the Personal Data Act and agency regulations;

(D) The known consequences arising from supplying or refusing to supply the requested personal data;

(E) The proposed use to be made of the requested personal data, to be limited to that use unless the individual is notified that the Department intends to use such data for another purpose.

(Effective February 24, 1989)